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Counsel for Defendant TURNER

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MASHAVU TURNER,

Defendant.

Case No.: 4:21-mj-70536 MAG

**STIPULATION AND ORDER TO
CONTINUE STATUS HEARING,
EXCLUDE TIME UNDER THE
SPEEDY TRIAL ACT, AND WAIVE
TIME UNDER RULE 5.1**

Hearing Date: March 8, 2022

The above-captioned matter is set on March 8, 2022, at 10:00 a.m., before this Honorable Court, for a status regarding preliminary hearing. The parties jointly request that the Court continue this matter to March 30, 2022. The government has produced discovery, which defense counsel is reviewing and discussing with her client. In addition, the parties are discussing a resolution, and the requested continuance will enable those discussions by providing additional time for the defense to investigate and to process the discovery.

For these reasons, the parties agree to continue this matter to March 30, 2022 for a status hearing on the preliminary hearing or arraignment and to exclude time under the Speedy Trial Act from March 8, 2022 to March 30, 2022 because the ends of justice served by the continuance

1 outweigh the best interest of the public and the defendant in a speedy trial pursuant to 18 U.S.C. §
 2 3161(h)(7)(A). The parties further stipulate and agree that the failure to grant a continuance would
 3 unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into
 4 account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). In addition, the parties
 5 agree to waive time under Federal Rule of Criminal Procedure 5.1, from March 8, 2022 to March 30,
 6 2022. Mr. Turner consents to this waiver and the parties agree that it takes into account the public
 7 interest in the prompt disposition of criminal cases.

8 For these reasons, the parties request that the Court vacate the March 8, 2022 status hearing and
 9 reset this case to March 30, 2022. The parties further request that the Court find good cause for
 10 extending the time limit for a preliminary hearing under Rule 5.1 and for extending the 30-day time
 11 period for an indictment under the Speedy Trial Act as set forth above. *See* Fed. R. Crim. P. 5.1; 18
 12 U.S.C. § 3161(b).

13
 14 IT IS SO STIPULATED.

15
 16 Dated: March 7, 2022

17 JODI LINKER
 18 Federal Public Defender
 Northern District of California

19 /S/

20 ANGELA M. HANSEN
 Assistant Federal Public Defender

21
 22 Dated: March 7, 2022

23 STEPHAINE HINDS
 24 United States Attorney
 Northern District of California

25 /S/

26 NOAH STERN
 Assistant United States Attorney

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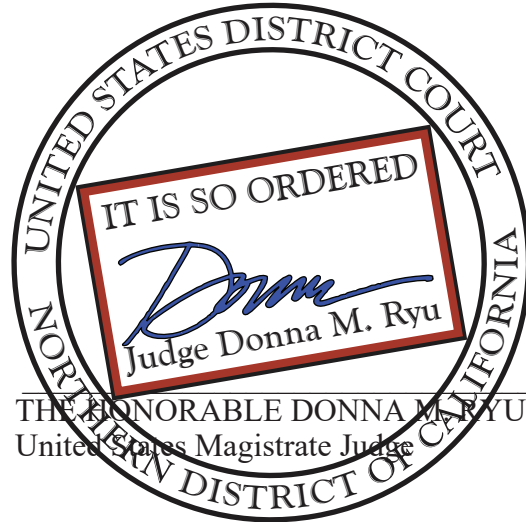
**ORDER TO CONTINUE STATUS
HEARING, EXCLUDE TIME UNDER
THE SPEEDY TRIAL ACT, AND
WAIVE TIME UNDER RULE 5.1**

Based on the reasons provided in the stipulation of the parties above, and for good cause shown, the Court hereby ORDERS that the status hearing date of March 8, 2022, is vacated and reset for a status regarding preliminary hearing or arraignment on March 30, 2022, at 10:00 a.m.

It is FURTHER ORDERED that the time is excluded, pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), through March 30, 2022. Furthermore, with the consent of the defendant, and taking into account the public interest in the prompt disposition of criminal cases, the preliminary hearing is continued based on the parties' showing of good cause to waive time under Federal Rule of Criminal Procedure 5.1. The Court finds good cause for extending the time limits for a preliminary hearing under Rule 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act. Accordingly, IT IS HEREBY ORDERED THAT the waiver of time under Rule 5.1 is effective from March 8, 2022 to March 30, 2022.

IT IS SO ORDERED.

Dated: March 7, 2022



THE HONORABLE DONNA M. RYU
United States Magistrate Judge